

DEVELOPMENT CONDITIONS

SE 2011-MA-001

June 22, 2011

The Board of Supervisors approved SE 2011-MA-001 located at 6065 and 6067 Arlington Blvd., Tax Maps 51-4((02)) (A) 5 and 6, for an office in the Commercial Revitalization District pursuant to Sect. 3-304 of the Fairfax County Zoning Ordinance, requiring conformance with the following development conditions, which supersede all previous conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. A copy of this Special Exception and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
3. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved Special Exception (SE) Plat, entitled, "Lots 5 and 6, Lee Boulevard Heights, Mason District, Fairfax, VA", prepared by Cervantes and Associates, P.C., dated June 1, 2011, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. The maximum number of employees on-site at any one time shall be five.
6. The maximum hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday-Saturday.
7. One monument sign which conforms to Section 12 of the Zoning Ordinance (Sect. 12-208 2. M) may be provided in the location indicated on the Special Exception Plat (the northern portion of the property in front of the building).
8. The driveway entrance shall be widened to meet commercial standards as indicated on the SE Plat, subject to final approval by the Virginia Department of Transportation (VDOT).

9. Off-street parking spaces shall be provided as shown on the SE Plat to Public Facilities Manual standards.
10. A six-foot high, solid wood fence (with a gate) shall be provided along the southern edge of the parking area. A landscape plan in substantial conformance with that depicted on the SE Plat shall be provided as part of the site plan submission and shall be reviewed and approved by the Urban Forest Management Division, DPWES. The landscaping and barrier shall be maintained as specified in Sect. 13-106 of the Zoning Ordinance.
11. If a waiver of stormwater management is not granted by the Department of Public Works and Environmental Services (DPWES), stormwater management shall be provided to the satisfaction of DPWES at the time of site plan approval. An area has been designated for stormwater management on the SE Plat (identified as "stormwater management if required"), if required stormwater management facilities can not be provided in substantial conformance with the SE Plat, the applicant may be required to submit a Special Exception Amendment.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

The approval of this Special Exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, 30 months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.